IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 217 OF 2006
IN
SUMMONS FOR JUDGMENT NO. 719 OF 2004
IN
SUMMARY SUIT NO.1654 OF 2004

Reunion Engineering Co. Ltd. .. Appellant

V/s

Oasis Luminaries Pvt. Ltd. .. Respondent

Mr.S.S.Dube for the Appellant.
Mr.R.D.Suvarna for the Respondent.

CORAM : DR.S.RADHAKRISHNAN &
S.J.VAZIFDAR, JJ.

DATE : 12TH APRIL, 2006.

P.C.:

1. Heard the learned Counsel for the parties. The appeal is admitted. By this Appeal, the Appellant is challenging the order dated 3rd October, 2005, whereby the Learned Single Judge had directed the Appellant to deposit a sum of Rs.4,25,000/- within a period of four weeks, while granting conditional leave to defend the Summary Suit.

2. After hearing both the parties for some time, the Learned Counsel for the Appellant states that Appellant will deposit a sum of Rs.3,05,000/- in this Court, without prejudice to the rights and the contentions of the Appellant. The learned Counsel for

the Respondent seeks leave to withdraw the same. The Respondent is allowed to withdraw the same. We make it clear that as far as the balance amount is concerned, unconditional leave is granted. Appellant is directed to deposit the said amount within a period of eight weeks from today and the Respondent is at liberty to withdraw the same. The appeal is accordingly disposed of.

(DR.S.RADHAKRISHNAN,J.)

(S.J.VAZIFDAR,J.)